

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
NORFOLK DIVISION**

BID FOR POSITION, LLC,

Plaintiff,

v.

AOL LLC and GOOGLE INC.,

Defendants.

CASE NO. 2:07-cv-582 JBF/TEM

**Jury Trial Demanded**

**MOTION AND MEMORANDUM IN SUPPORT OF MOTION FOR LEAVE TO  
EXTEND TIME TO SERVE RULE 26(a)(3) DISCLOSURES, AND RELATED DATES**

Defendants Google Inc. and AOL LLC (“Defendants”), by counsel, for their Motion and Memorandum in Support of Motion for Leave to Extend Time to Serve Rule 26(a)(3) Disclosures, the date for objections to such disclosures and the Attorneys’ Conference, state as follows:

1. The time for serving Rule 26(a)(3) Disclosures pursuant to the Scheduling Order entered on March 12, 2008 (“Scheduling Order”) has not expired.

2. The parties have agreed to a two-day extension to serve Rule 26(a)(3) Disclosures through August 8, 2008, an extension to serve objections to such disclosures until August 15, 2008, and an extension for the Attorneys’ Conference until August 18, 2008. No other dates under the Scheduling Order are affected.

3. The parties are circulating an order in the same form as the proposed order attached as **Exhibit 1** and, once endorsed, will forward that order to the Court for consideration.

WHEREFORE, Google Inc. and AOL LLC, by counsel, request that the Court enter an order granting the requested relief.

Dated: August 6, 2008

Respectfully submitted,

/s/

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## **CERTIFICATE OF SERVICE**

I hereby certify that on August 6, 2008, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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